

Planning and Zoning Commission Regular Meeting

February 16, 2005

1. CALL SESSION TO ORDER

The February 16, 2005 Regular Meeting of the Planning and Zoning Commission was held in the Council Chambers of the City Hall of Round Rock located at 221 East Main Street. With a quorum present, Chairman Al Kosik called the meeting to order at 7:03 p.m.

2. ROLL CALL

Present for roll call, along with Chairman Kosik were Commissioners Sandy Arnold, Russ Boles, Larry Quick, Betty Weeks and David Pavliska. Commissioners Drapes, Austin and Thibodaux were absent from the meeting. Staff included Jim Stendebach, Planning Director, Susan Brennan, Principal Planner, Bernadette Hayes, Senior Planner, James Hemenes, Park Planner, Alysha Girard, Development Services Manager, Eric Langhout, P. E. Public Works Dept. and Dianna Hutchens, Administrative Technician.

3. APPROVAL OF THE JANUARY 12, 2005 REGULAR MEETING MINUTES.

Motion: Commissioner Boles made a motion to approve the January 12, 2005 regular meeting minutes. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

4. CONSENT AGENDA:

Chairman Kosik asked that Consent Agenda Item 4.D. be removed and discussed at a later time.

4.A. Consider the Amending Plat of Hesters Crossing Shopping Center, Lots 4 and 6, Final Plat, application no. 05-001-FP.

4.B. Consider the Replat of Lot 4C, Block 1, Socrates Addition Final Plat, application no. 05-002-FP.

4.C. Consider the Settlers Crossing Section 3 Final Plat, application no. 05-003-FP.

4.E. Consider the Old Settlers Retail Subdivision Final Plat, application no. 04-071-FP.

4.F. Amending Plat Lots 25 & 26, Block T, Mayfield Ranch Section One, application no. 05-005-FP.

Motion: Commissioner Boles made a motion to approve Consent Agenda Items 4.A., 4.B, 4.C, 4.E, and 4.F. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

4.D. Consider the Amending Plat of Turtle Creek Village Phase Eight, application no. 05-004-FP.

Chairman Kosik noted the 30' easement on the west and south sides of the plat and asked if it was more than just an easement. Mr. Hemenes said it was his understanding that the parkland was always envisioned as a greenbelt with a trail through it that would circle the entire site. Chairman Kosik asked if the City was going to participate in a trail system through that area. Mr. Hemenes said yes.

Motion: Commissioner Arnold made a motion to approve the amending plat. Commissioner Quick seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

5. WITHDRAWN ITEMS

5.A. Triple C Subdivision Preliminary Plat, application no. 04-022-PP.

No action is necessary by the Planning Commission on this item.

6. TABLED ITEMS REQUIRING A PUBLIC HEARING

6.A. Consider public testimony regarding the application filed by Brushy Creek Reserve Investments for approval of the Parkside at Mayfield Ranch Concept Plan, application no. 04-008-CP.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony, seeing no one, he closed the public hearing.

Motion: Commissioner Pavliska made a motion to continue the public hearing until the March 23, 2005 meeting. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

6.B. *Consider the Parkside at Mayfield Ranch Concept Plan, application no. 04-008-CP.*

Motion: Commissioner Boles made a motion to table the consideration of the approval of the Parkside at Mayfield Ranch Concept Plan. Commissioner Quick seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

6.C. Consider public testimony regarding the application filed by Sweet Home Baptist Church to rezone 8.82 acres of land out of the Wiley Harris Survey, Abstract No. 298, in Williamson County, Texas, from PUD (Planned Unit Development) District to TH (Townhouse) District, application no. 04-024-Z; to rezone 8.034 acres of land out of the Wiley Harris Survey, Abstract No. 298, in Williamson County, Texas, from PUD (Planned Unit Development) District to

PF-1 (Public Facilities-Low Intensity) District, application no. 04-025-Z; and to rezone 3.562 acres of land out of the Wiley Harris Survey, Abstract No. 298, in Williamson County, Texas, from PUD (Planned Unit Development) District to C-2 (Local Commercial) District, application no. 04-023-Z.

Chairman Kosik opened the public hearings and asked if there was anyone present that wanted to provide testimony, seeing no one, he closed the public hearings.

Motion: Commissioner Quick made a motion to continue the public hearings until the March 23, 2005 meeting. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

6.D. Consider a recommendation to approve the rezoning of 8.82 acres from PUD (Planned Unit Development) District to TH (Townhouse) District, application no. 04-024-Z.

6.E. Consider a recommendation to approve the rezoning of 8.034 acres from PUD (Planned Unit Development) District to PF-1 (Public Facilities-Low Intensity) District, application no. 04-025-Z.

6.F. Consider a recommendation to approve the rezoning of 3.562 acres of land from PUD (Planned Unit Development) District to C-2 (Local Commercial) District, application no. 04-023-Z.

Motion: Commissioner Boles made a motion to approve the request for tabling Items 6.D., 6.E., and 6.F. to the March 23, 2005 meeting. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

- 6.G. Consider public testimony regarding the application filed by Behrens Subdivision Ltd. to rezone 20.073 acres of land, more or less, out of the David Curry Survey, Abstract No. 130, in Williamson County, Texas, from OS (Open Space) District to SF-2 (Single-Family Standard Lot) District, application no. 05-001-Z.**

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony, seeing no one, he closed the public hearing.

Motion: Commissioner Quick made a motion to continue the public hearing until the March 23, 2005 meeting. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

- 6H. Consider a recommendation to approve the rezoning of 20.073 acres of land from OS (Open Space) District to SF-2 (Single-Family Standard Lot) District, application no. 05-001-Z.**

Motion: Commissioner Boles made a motion to approve the request to table the rezoning to the March 23, 2005 meeting. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

- 6.I. Consider public testimony regarding the Behrens Ranch, Phase F Concept Plan, application no. 05-001-CP.**

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony, seeing no one, he closed the public hearing.

Motion: Commissioner Pavliska made a motion to continue the public hearing until the March 23, 2005 meeting. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

6.J. Consider a recommendation to approve the Behrens Ranch, Phase F Concept Plan, application no. 05-001-CP.

Motion: Commissioner Arnold made a motion to table the consideration of the approval of the Behrens Ranch, Phase F Concept Plan. Commissioner Boles seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

7. TABLED ITEMS NOT REQUIRING A PUBLIC HEARING

- 7.A. Consider an application filed by Camco Land, Ltd., to amend the Land Use Plan for 2.274 acres of land out of the P. A. Holder survey, Abstract No. 297, Williamson County, Texas, within the Meadows of Chandler Creek from a single-family designation to a commercial designation, application no. 04-011-Z.**
- 7.B. Consider the Brushy Creek Regional Wastewater Treatment Plant Final Plat, application no. 04-069-FP.**
- 7.C. Consider the Lisa Rae Drive Subdivision Preliminary Plat, application no. 05-003-PP.**
- 7.D. Consider the Ray Berglund Boulevard Subdivision Preliminary Plat, application no. 05-004-PP.**

7.E. Consider the Joyce Lane Subdivision Preliminary Plat, application no. 05-001-PP.

7.F. Consider the Sagebrush Subdivision Preliminary Plat, application no. 04-018-PP.

Motion: Commissioner Pavliska made a motion to continue Items 7.A, 7.B, 7.C, 7.D, 7.E. and 7.F. until the March 23, 2005 meeting. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

8. ZONING AND PLATTING: PUBLIC HEARING/DISPOSITION

8.A. Consider public testimony regarding the application filed by the City of Round Rock to rezone 2.78 acres of land, more or less, out of the P. A. Holder Survey, Abstract No. 297, in Williamson County, Texas, from C-1 (General Commercial) District to C-1-PV (General Commercial with the Palm Valley Overlay) District, application no. 05-002-Z.

Ms. Hayes presented staff's analysis to the Commissioners noting staff's recommendation of approval.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony, seeing no one, he closed the public hearing.

8.B. Consider a recommendation to approve the rezoning of 2.78 acres of land from C-1 (General Commercial) District to C-1-PV (General Commercial with the Palm Valley Overlay) District, application no. 05-002-Z.

Motion: Commissioner Weeks made a motion to recommend approval of the rezoning. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Larry Quick and Betty Weeks. Noes: None; Abstain: Russ Boles; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried.

8.C. Consider public testimony concerning proposed amendments to Chapter 11, Zoning, Code of Ordinances, (1995 Edition), revising provisions concerning the geographical placement and design standards pertaining to wireless transmission facilities within the City of Round Rock.

Ms. Brennan announced that staff has requested that this item be withdrawn. Staff would like to continue discussions with members of the wireless industry prior to the Commissioners making their recommendation.

8.D. *Consider a recommendation to approve amending provisions in Chapter 11, Zoning, Code of Ordinances, (1995 Edition), concerning the geographical placement and design standards pertaining to wireless transmission facilities within the City of Round Rock.*

Withdrawn no action necessary.

9. ADDITIONAL PLATS

9.A. Consider the Walsh Ranch Revised Preliminary Plat, application no. 05-002-PP.

Ms. Hayes presented staff's analysis to the Commissioners noting staff's recommendation of approval with the following conditions:

1. No final plat shall be submitted for review until annexation and zoning is approved by the City Council.
2. The dedication of the ROW for the Sam Bass Road improvements be included in the first final plat submittal.
3. Add the following note: The nonbuildable portion of Lot 20, Block F between the cul-de-sac and Lot 23, Block F shall be a landscape area and shall be owned and maintained by the HOA.

Chairman Kosik asked, with the exception of the lots around the private park, did the configuration of the other lots stay the same. Ms. Hayes said yes. Chairman Kosik asked, due to the realignment of Great Oaks Drive, if fences will be required along the back of the lots abutting Great Oaks Drive. His concern was that if the fencing was not required, individual fences would be put up and would not look consistent and could be difficult to maintain. Mr. Stendebach agreed. Chairman Kosik said the reason there needed to be a fence backing a major arterial is to avoid the problems there have been in the past with homeowners not maintaining their fences which leads to unsightly appearances along the arterials. Commissioner Boles asked if Chairman Kosik wanted a masonry fence. Chairman Kosik said yes. Mr. Stendebach said the fence would have to be on the lots that are being created because there is another owner in between. Chairman Kosik asked that a condition be added to address the need for the fence along the arterial. Ms. Hayes asked if Chairman Kosik would be comfortable with the fence along Lots 1-5, or did he want it to go all the way to the north property line of Lot 10. Chairman Kosik said he did not think it needed to go all of the way to the end of the property line, but he was not sure which lots specifically should be identified. He suggested that someone take the time to go to the site and see specifically which lots are affected.

Commissioner Quick said there are fence lots shown on the drawing along Behrens Parkway and Walsh Ranch Boulevard, but nothing was shown on Lot 21, Block F and on Lot 1, Block E, which seemed inconsistent. He noted that the two lots he specifically mentioned would have sides of the lots facing the school. He further pointed out that Lot 1, Block A and Lot 1, Block C also were corner lots with sides facing the school. He asked if there needed to be some consistency to the fence lots. Chairman Kosik noted that both Lot 21, Block F and Lot 1, Block E did not have the rear yard facing the street and school, but both of Lot 1, Block A and Lot 1, Block C had rear yards that faced the street and the school. He said he

recognized that the plat was following the ordinance regarding the rear of the lots abutting the streets. He said he agreed with Commissioner Quick and thought more than likely there would be a private fence put in and ultimately it could be a non-maintained side fence. Ms. Hayes agreed with Chairman Kosik that the preliminary plat did follow the ordinance. Chairman Kosik suggested that the issue be looked into. Mr. Stendebach said the new zoning ordinance restricts fences in a street yard, and a cornered lot has two street yards. Chairman Kosik asked if the homeowner could put a fence in under the new zoning ordinance. Mr. Stendebach said the property owner would only be allowed a fence that was 3' high, or they have to move the fence back to the setback. Mr. Quick noted that in the case of Lot 1, Block A and Lot 1, Block C, the back fence would be obscuring the traffic vision at the intersection. Ms. Hayes said the fence line would be adjusted as it comes to the corner to allow the needed sight distance. Mr. Stendebach said the first 20' of the fence from the corner would have to be no taller than 3' high.

Chairman Kosik asked that a condition be added addressing the lots and fencing abutting Great Oaks Drive. Ms. Hayes suggested a condition stating "The applicant shall provide a 6' fence easement in Lots 1-5, Block E".

Motion: Commissioner Arnold made a motion to recommend approval of the revised preliminary plat with the four conditions noted. Commissioner Quick seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick and Betty Weeks. Noes: None; Abstain: None; Absent: Ray Thibodaux, Dale Austin and Peter Drapes. The motion carried unanimously.

10. PRESENTATION

10.A. Presentation of the Simon, Barshop & Oles and Scott & White projects.

Mr. Stendebach gave the Commissioners a preview of the applications that would be on the March 16, 2005 agenda. He said that staff wanted the Commissioners to be aware of how the different areas would fit together because of the complex relationship between the various property owners. The proposed ultimate land uses would include a district for public facilities including a hospital, medical office and accessory uses, and two planned unit developments consisting of a retail shopping center, cinema, grocery store, restaurants and hotel with a detention feature with a permanent water feature. He detailed the different zoning applications that would be presented to the Commissioners, as well as preliminary plats and a concept plan. He said the main mall would be an outdoor mall would be set up similar to a more traditional mall in terms of all of the shops face inward. He said the applicant will be bringing in some higher end outlet stores that are different than those commonly found in most outlet malls. He continued the presentation showing some of the different architectural features, pedestrian access areas and elevations inside the mall area. He concluded his presentation by outlining the schedule of when the different items would come forward to the Planning Commission and ultimately to the City Council.

Mr. Matt Silvestri with Chelsea Property, a division of Simon Properties, addressed the Commissioners. He complimented staff for their hard work and diligence over the past eight months. Mr. Silvestri said the outlet center will be the first phase of the project and will take approximately 14 months to complete the construction of the mall with a possible late summer 2006 opening.

Chairman Kosik said he thought the project looked like a quality development.

11. PLANNER REPORT AND COMMISSION COMMENTS

11.A. Discussion regarding Commissioner Terms

Information was provided to the Commissioners regarding the upcoming appointment or reappointment of Commissioners. Mr. Stendebach asked that the Commissioners review the information and, if necessary, prepare their letters for reappointment and turn them into the City Secretary.

12. ADJOURN

Hearing no further discussion, Chairman Kosik adjourned the meeting at 8:05 p.m.

Respectfully Submitted,

Dianna Hutchens
Administrative Technician III